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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/002,944 01/05/98 WUGOFSKI

T 450.208US1

EXAMINER

WM02/0705

SCHWEGMAN LUNDBERG WOESSNER & KLUTH
PO BOX 2938
MINNEAPOLIS MN 55402

BULK

ART UNIT

PAPER NUMBER

2611

DATE MAILED:

07/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/002,944

Applicant(s)

WUGOFSKI ET AL.

Examiner

KIEU-OANH T BUI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 20) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Shoff et al (U.S. Patent No. 6,240,555).

Regarding claims 1 and 20, Shoff et al. (or "Shoff" hereinafter) disclose an information handling system (Fig. 2, and col. 2/line 55-col. 3/line 27), comprising a graphical user interface, i.e., a television screen (Fig. 2/item 24) or a GUI 66 (Fig. 4/item 66); wherein the graphical user interface is configured to display a channel list including at least one television channel and at least one scheduled Internet channel concurrently, i.e., at least one TV channel and at least one scheduled internet channel from the Internet broadcaster can be listed on the user's scheduled program guide on certain topics and categories (Fig. 8c, sets of buttons 212-216 for television channels on col. 11/lines 3-11; and sets of buttons 232 to 236 for supplemental information or scheduled internet channels on col. 12/lines 7-23 & lines 48-67); and wherein the channel list includes graphical and behavioral attributes to determine the graphical user interface for the channel list when displayed in an electronic program guide (Fig. 8c).

As for claim 2, Shoff further reveals "wherein the channel list is a favorite channels list" as Shoff discloses that the user is free to creatively create and choose a layout or content of programs, even the order of programs in creating the list or menu for the electronic program guide (col. 12/lines 7-47).

With respect to claim 3, the step of “wherein the graphical user interface includes an electronic program guide configured to display the channel list” is disclosed by Shoff (Fig. 2; col. 4/lines 14-42).

Concerning claim 4, Shoff further discloses the step of “further comprising an electronic program database for storing the channel list” as Shoff includes a program memory 96 within the user’s television for storing the EPG channel list (Fig. 5, and col. 8/lines 4-18).

Regarding claims 5 and 19, in additional view of claim 1 above, the step of “further comprising a convergence system which includes the information handling system” is disclosed by Shoff due to the fact that Shoff reveals to include a DDS system, RF communication either wireless or wire-based systems can be interpreted as “a convergence system” for broadcasting interactive and non-interactive programs to a plurality of users (col. 4/lines 42-55).

As for claim 6, in view of claims 1 and 4 above, Shoff further discloses a computerized system for integrating Internet sources into an electronic program database comprising one or more television channels; one or more scheduled Internet channels; one or more channel lists integrating the television channels and the internet channels, i.e., at least one TV channel and at least one scheduled internet channel from the Internet broadcaster can be listed on the user’s scheduled program guide on certain topics and categories (Fig. 8c, sets of buttons 212-216 for television channels on col. 11/lines 3-11; and sets of buttons 232 to 236 for supplemental information or scheduled internet channels on col. 12/lines 7-23 & lines 48-67); and a means for storing each one of the channel lists, for example, as Shoff includes a program memory 96 within the user’s television for storing the EPG channel list (Fig. 5, and col. 8/lines 4-18).

Regarding claims 7-9, the steps of “further comprising a means for displaying a selected one of the channel lists wherein each one of the channel lists contains one or more stored properties for the means for displaying”; “wherein at least one of the stored properties relates to a graphical attribute of the means for displaying”; and “at least one of the stored properties relates

to a behavioral attribute of the means for displaying” are taught by Shoff (see the Examiner’s discussion as disclosed in claims 1 and 20 above).

Regarding claims 10-12, the steps of “further comprising one or more user interfaces providing a means for managing for each one of the channel lists”; “wherein the user interfaces provide a management function of selecting the channel list”; and “wherein the user interfaces provide at least one of the management functions selected from the group consisting of adding the television channel, adding the Internet channel, removing the television channel, and removing the Internet channel” are taught by Shoff as Shoff reveals the technique on how to manage the channel list, the creation of favorite channel lists (as disclosed above), and on how the user interface works and manages in order to create the channel lists based on the user’s preferences

by revealing that the user is free to creatively create and choose a layout or content of programs, even the order of programs in creating the list or menu for the electronic program guide (col. 12/lines 7-47).

Regarding claims 13 and 14, Shoff also discloses that “wherein the graphical user interface is a channel banner graphical user interface”, i.e., additional information is displaying on the user interface as a channel banner (Fig. 8c/item 240 & 242); and “wherein the graphical user interface is a favorite channel list graphical user interface” (see Examiner’s discussion in claim 2).

Regarding claims 15-18, these claims of “a computer-readable medium having computer-executable components comprising a database component for storing one or more channel lists, at least one of the channel lists integrating one or more television channels and one or more scheduled Internet channels; and a user interface component for displaying the channel lists” are rejected for the reasons given in the scope of the system claims 1-14 and 19-20 (to avoid unnecessary repetitions) as already discussed above.

Conclusion

3. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

(703) 308-5399, (for informal or draft communications, please label
"PROPOSED" or "DRAFT").


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Krista Bui
Art Unit 2611
June 22, 2001


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600